

DAVID LEE WHITE,
Plaintiff,
v.
STATE OF CALIFORNIA,
Defendant.

No C-12-1275 TEH (PR)
ORDER OF TRANSFER

There is no indication that Plaintiff has been housed at

1 Deuel Vocational Institution, CTF-Soledad or California's Men
2 Colony. Accordingly, Plaintiff does not have standing to challenge
3 the conditions at those institutions. See Powers v. Ohio, 499 U.S.
4 400, 410 (1991); Estate of McKinney, 71 F.3d at 779, 782 n.4 (9th
5 Cir. 1995). With respect to Plaintiff's allegations regarding
6 conditions at CTF-Vacaville, CTF-Vacaville is located in Solano
7 County, which lies within the venue of the Eastern District of
8 California. See 28 U.S.C. § 84(b). Venue therefore properly lies
9 in the Eastern District. See id. § 1391(b).

10 Accordingly, in the interest of justice and pursuant to 28
11 U.S.C. § 1406(a) IT IS ORDERED that this action be TRANSFERRED to
12 the United States District Court for the Eastern District of
13 California.

14 The Clerk shall transfer this matter terminate all pending
15 motions as moot and close the file.

16 IT IS SO ORDERED.

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18 DATED 06/06/2012



THELTON E. HENDERSON
United States District Judge

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